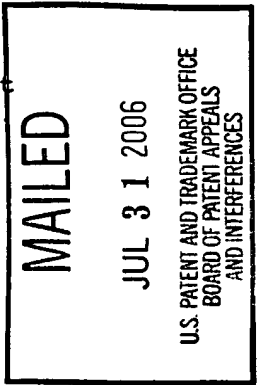


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALI ALAVI, GUNTHER L. BRENES, LUIS A. DECTOR,
L. DOUGLAS EVERHART, ARTURO OLIVER, and RAMKUMAR RAMACHANDRAN

Application No. 10/726,624

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences (BPAI) on July 28, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are outlined below:

INFORMATION DISCLOSURE STATEMENT

On December 4, 2003, the USPTO received from Appellants an Information Disclosure Statement and accompanying form PTO-1449 listing the references cited by the Appellants for the Examiner to consider. The Examiner acknowledged the references by initialing next to the references cited, however, pages 2 and 3

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of the PTO-1449 are missing and are not available for electronic viewing. Duplicate pages 2 and 3 of the signed form PTO-1449 need to be scanned into the Official record of this application.

APPEAL BRIEF

Appellants filed an Appeal Brief which was received by the USPTO on December 30, 2005. The following two sections were not included in the Appeal Brief and are required in accordance with 37 CFR § 41.37(c):

"**EVIDENCE APPENDIX**," as set forth in 37 CFR §

41.37(c)(1)(ix); and

"**RELATED PROCEEDINGS APPENDIX**," as set forth in 37 CFR §

41.37(c)(1)(x).

Accordingly, it is

ORDERED that the application is returned to the Examiner:

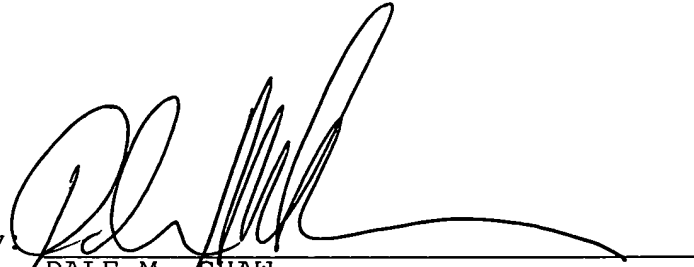
- 1) to obtain missing pages 2 and 3 of the PTO-1449 received in the Office December 4, 2003 and have these pages made of record in the instant electronic application;
- 2) to have Appellants submit a revised Appeal Brief that complies with the headings and content as outlined in 37 CFR § 41.37(c)(1)(ix) and 37 CFR § 41.37(c)(1)(x); and

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3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By

A handwritten signature in dark ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

DALE M. SHAW
Deputy Chief Appeal Administrator
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